

Board Meeting
January 18-19, 2005

Agenda Item 28
Attachment 1

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 255-2555 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance
1001 I Street
Sacramento CA 95812

General Instructions:


For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name City of Laguna Beach		County Orange	
Authorized Signature 		Title City Manager	
Type/Print Name of Person Signing Kenneth Frank	Date 11/15/2004	Phone (949) 497-0704	
Person Completing This Form (please print or type) Jamie Pendleton		Title Senior Administrative Analyst, City of Laguna Beach	
Phone (949) 497-0344	E-mail Address jpendleton@lagunabeachcity.net	Fax (949) 494-1864 or (949) 497-0771	
Mailing Address 505 Forest Avenue	City Laguna Beach	State CA	ZIP Code 92651

Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ **Time Extension Request**

Specific years requested 2003, 2004, 2005

Is this a second request? ☒ No ☐ Yes Specific years requested.

(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ **Alternative Diversion Requirement Request (*Not allowed for Regional Agencies*).**

Specific ADR requested _____%, for the years _____.

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested _____%, for the years _____.

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

1. **Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome?**

Why Time is Needed and Why 50% Diversion Has Not Been Achieved:

For the past four reporting years (1999-2002) the City's average diversion rate is 47 percent. Since the City's reported diversion rate for 1999 was 49 percent, the City planned to meet the 50 percent goal by 2000. However, waste generated from self haul activities experienced tremendous growth in the last several years, largely attributable to the remodeling and reconstruction boom from the late 1990's to present. Waste Management, the City's hauler, transports residential, commercial, and industrial/construction waste to the landfills. Waste generated and transported by the public at large, gardeners and contractors is categorized as self-haul. Residential recycling and business recycling each represent about one third of the City's total waste stream. The balance of the City's reported waste stream is comprised of industrial/construction waste and self-haul waste. Increases in building activity, tourism and consumer spending and consumption have contributed to additional waste volumes, particularly in the self-haul sector. The amount of waste handled by Waste Management has remained steady since 1998. Conversely, self-haul has increased since 1996. In 1995, 76% of the Laguna Beach waste stream was managed by Waste Management and 19% was classified as self-haul. In 2002 Waste Management handled 67% of the waste stream and self-haul accounted for 30% of the City's recorded waste. Other haulers and wastewater tonnage accounted for the other 3% in 2002. Orange County's average for self-haul, not including roll-off box waste, is 15%.

As the City's diversion rate has gradually decreased since 1999, the City and its waste hauler have concentrated increased efforts to increase diversion in its commercial/ business waste sector. Disappointingly, improved results in this category could not outperform the growth and tonnage of self-haul waste. To achieve 50% diversion, the City would need to reduce its disposal volume by less than 5,000 tons and not landfill more waste than the amount disposed of in 2002. The City of Laguna Beach recognizes that it lacks programming for self-haul, construction and demolition waste. This area has not been addressed in the past since regional facilities are not currently available and there are no financial incentives nor regulatory restrictions for haulers to divert waste from the landfill.

Compliance Barriers:

A significant barrier to implementing programs in the self-haul and construction waste categories has been the lack of infrastructure for capturing construction materials in Orange County. Another barrier is the landfill rate for self haul waste is reasonably priced at \$27 per ton since land-filling is convenient and cost effective. Tipping fees at available materials recovery facilities are substantially higher than tipping fees at the County landfills. Jurisdictions in Orange County with C&D ordinances are finding that builders are more willing to pay penalties than to divert waste. With the lack of facilities and the imbalance in disposal costs, C&D ordinances do not seem to be effective yet in this area. Presently, the County of Orange Department of Integrated Waste Management is conducting several studies addressing self-haul, construction and demolition waste from a regional perspective. The outcome of the various studies may result in the establishment of new programs, facilities, rate structures, or operational procedures that could increase the diversion of materials from the landfill. County staff anticipates that a full report will be presented to the Board of Supervisors by the summer of 2005. The City of Laguna Beach recognizes that the success of handling any self-haul or construction and demolition waste is contingent upon the availability of reasonably close C&D processing facilities and regional rate policies for the disposal of solid waste.

Strategic Plan

Although the County of Orange is aggressively dealing with construction waste and self-haul waste and is expected to identify a plan by mid-2005, the City of Laguna Beach will not realize any impacts of possible new policies for a number of years. In the short-term, the City expects to achieve and exceed the 50 percent diversion goal by addressing certain categories of commercial waste in 2005 as follows:

- a.) **Temporary Roll-off Containers:** Increase contract rates for temporary roll-off bins to allow Waste Management to deliver containers to Tierra Verde Industries (a green waste and new C&D processing facility in Irvine) to remove and divert recyclable material. Rented temporary bins are used primarily for construction related projects. Waste Management estimates that 80% of the roll-off waste stream could be sent to Tierra Verde for processing. If the City realizes 35% diversion from the eligible volume, an additional 3,400 tons could be prevented from entering the landfill. This proposal requires a significant rate increase (up to 40-50%) for roll-off bins that would need to be approved by the Laguna Beach City Council and implemented by Waste Management of Orange County.

- b.) **Public Right-of-Way Waste:** Have Waste Management deliver City roll-off bins to Southeast Resource Recovery Facility (a waste-to-energy facility in Long Beach.) The City contracts about 16 roll-off bins every month collecting an average of 115 tons of general waste per month. The material is comprised mostly of mixed waste collected from City streets, parks and beaches. The expected volume to be processed as transformation is 1300 tons representing about two percent (2%) of the City's total generated waste.
- c.) **Special Venues:** Increase efforts to capture recyclables at special venues such as summer concert series and various art festival grounds. This summer, City staff began working with the Orange County Conservation Corps to coordinate recycling at special event venues such as the music in the park series at Bluebird Park. Work will continue next summer to add recycling options at the Sawdust Festival grounds which attracts visitors approaching 200,000 each year during a two month summer period. The City expects to work with CIWMB DPLA staff on how to best facilitate special venue recycling.
- d.) **Drop-off Recycling:** Offer special three yard bins in certain neighborhoods to allow residents to drop off green waste materials during weed abatement season and have Waste Management deliver these bins to Tierra Verde's green waste processing facility in Irvine. The City has an aggressive weed abatement season each spring. Much of the cut weeds are bagged and collected as trash. The City will explore the provision of three yard bins in neighborhoods known to produce a significant amount of green waste during the clean up season.
- e.) **Schools:** Offer technical assistance to local school district to assess school recycling programs. The City last performed a waste audit with the Laguna Beach School District about five years ago. The City will work with CIWMB DPLA staff and LBUSD staff to conduct a new waste assessment for the four schools in the District. The results of the audit are expected to assist LBUSD to improve its diversion success.

Possible Barriers:

The above action plan requires different entities, such as the Laguna Beach City Council, Waste Management of Orange County, Sawdust Festival Board of Directors, local residents, and the Laguna Beach Unified School District, to approve and support a course of action. In each case, if the governing body does not approve the proposed action, the anticipated results cannot be achieved. In the event the City Council does not approve rate increases for roll-off services, City staff will investigate the feasibility and calculate the potential effectiveness of having contractors working on city-sponsored projects take their waste to Tierra Verde or other materials recovery facility.

1. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension?

The City of Laguna Beach is requesting additional time to fully-implement the roll-off container processing and diversion changes and program enhancements outlined in the strategic plan above. Time is also needed to evaluate pending changes at the County level relating to self-haul and facility development. The proposed processing changes for temporary roll-off waste is anticipated to be considered by the Laguna Beach City Council in early 2005 with implementation by July 2005. The County Board of Supervisors is expected to action on a regional strategic plan for self-haul waste by mid 2005. Following is the proposed implementation schedule for the City's compliance plan:

January 2005	CIWMB considers the City's request for a time extension.
January 2005	City begins conversation with Laguna Beach Unified School District on technical audit.
February 2005	Waste Management begins taking waste from the public right-of-way to waste to energy facility.
March 2005	Laguna Beach City Council considers increasing rates for temporary roll-off customers.
March 2005	City staff works with Sawdust Festival Board to plan for summer season.
April 2005	Waste Management provides three yard drop off bins for weed abatement season.
May 2005	County Board of Supervisors considers regional plan for handling self-haul and C&D waste.
June 2005	Evaluate effectiveness of weed abatement drop off program and report to CIWMB.
July 2005	Collect recycling at special venues such as summer concerts in the park and Sawdust grounds.
July 2005	Implement new rate structure for temporary roll-off bins and delivery waste to Tierre Verde.
September 2005	Evaluate effectiveness of special venue recycling programs.
November 2005	Evaluate effectiveness of 1 st quarter of temporary roll-off program.
December 2005	Prepare summary report of 2005 compliance plan activities and results and submit to CIWMB.

2. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The City of Laguna Beach has been successful in implementing most programs listed in its SRRE. As well, the City is continually working with its waste hauler and other partners to improve diversion of waste generated in this community. Following are the highlights of the City of Laguna Beach's two biggest programs:

Residential Recycling Program

Laguna Beach's first recycling program was established in 1989 prior to the adoption of AB939. Residents source separated their recyclables into three, colored milk crates. In 1998, a three-cart residential program was introduced to allow for the collection of more recyclable materials and green waste. The results have been consistently impressive. Following is a summary of the materials diverted from the residential collection program from 1998 to 2003:

Reporting Item	Reporting Year Data (Tons or %)					
	1998	1999	2000	2001	2002	2003
Landfilled	14,400.3 T	10,721.5 T	8,894.1 T	9,459.3 T	9,510.1 T	9,078.1 T
Recycled	2,974.6 T	6,006.3 T	8,330.5 T	9,314.5 T	9,283.6 T	9,772.8 T
Total Tons	17,374.9 T	16,727.8 T	17,224.6 T	18,773.8 T	18,793.7 T	18,850.9 T
% Recycled	17.1%	35.9%	48.4%	49.6%	49.4%	51.8%

- In 2003, 9,772 tons were collected, representing a 228% increase from 1998.
- In 2003, recycled materials were comprised of 43 percent green waste, 41 percent paper materials and 16 percent mixed recyclables.
- Diverted tonnage exceeded landfilled tonnage by 694 tons in 2003.
- Special collections include bulky item pick-ups twice a year, year-round, curbside collection of household hazardous waste including e-waste, and holiday trees.
- Annual public education and outreach and distribution of printed materials.

Commercial Recycling Program

Laguna Beach offers its businesses one of the most flexible and frequent commercial programs in the county. Each year, commercial or business waste recycling is improving gradually; however, results are not as good as the City's residential program. Following are the key components of the City's commercial program:

- Collection can be scheduled up to three times a week, free of charge.
- 63% (or 358 out of 572) of Waste Management's billable commercial customers have recycling services using wheeled carts or three-yard bins and collectively recycled 14,025 tons in 2002.
- High level of contamination due to layout of businesses in the community and lack of large business centers or large employers.
- Space constraints top the list of reasons why more businesses do not participate in commercial recycling.
- Technical assistance and outreach is provided to businesses or industrial groups such as members of the Board of Realtors.
- On-site collection of beverage containers at restaurants is provided by Orange County Conservation Corps.
- Regular distribution of education materials is made to the business community.

4. Provide any additional relevant information that supports the request.

As mentioned in Section IIIA (1), the County of Orange recently conducted a waste characterization study and found that as much as 60% of self-haul material coming from Laguna Beach is C&D material that is potentially recyclable. This is a county-wide problem that affects many Orange County cities. As a result, the County is exploring the possibility of raising gates fees for self-haul loads and is also considering material bans for debris such as concrete and greenwaste. Since Laguna Beach's total self-haul disposal is approaching 20,000 tons per year (more than 30% of its waste stream), any action taken by the County to raise gate fees and implement landfill bans will have a positive impact on the City's diversion rate. Likewise, actions taken by the City, such as ones listed in the strategic plan, are expected to improve actual diversion of waste generated in Laguna Beach.

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		33	Non-residential %		67
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
4060-SP-CAR	New	Upon approval by the Laguna Beach City Council, increase contract rates for temporary roll-off bins rented by individuals and contractors and direct hauler to transport materials to Tierra Verde for sorting and diversion prior to land-filling.	Service Fees	July 2005	6%
8030-TR-OTH	Expand	Direct hauler to transport waste collected by City staff from the public right-of-way and placed into roll-off bins to the Southeast Resource Recovery Facility (SERRF) in Long Beach for transformation.	Service Fees	February 2005	2%
2070-RC-SNL 2010-RC-DRP	New	Provide three yard bins in certain neighborhoods during spring weed abatement season to allow residents to drop off green waste that would otherwise be placed in plastic bags and disposed of as trash. The collected green waste would then be transported to Tierra Verde, a compost facility in Irvine. Consider siting a bin for residents to drop-off their recyclables for persons unable to have curbside recycling collection.	Customer Rates	June 2005	negligible
2070-RC-SNL	Expand	Work with staff for CIWMB Diversion, Planning and Local Assistance and the Orange County Conservation Corps to increase recycling at special venues such as the summer concerts in the park series and the Sawdust Festival grounds, a summer art festival with a visitor count approaching 200,000 each year.	Contract Rates	September 2005	0.5%
Total Estimated Diversion Percent From New and/or Expanded Programs					8.5%
Current Diversion Rate Percent From Latest Annual Report					46%
Total Planned Diversion Percent Estimated					54.5%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES			
PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
1040-SR-SCH 2050-RC-SCH 5020-ED-OUT 5030-ED-SCH	Expanded	Work with staff for CIWMB Diversion, Planning and Local Assistance and the Laguna Beach Unified School District to conduct a waste assessment of Laguna Beach schools to update the District's recycling plan and communicate the plan to end users.	October 2005
4060-SP-CAR 6000-PI-PLB 6010-PI-EIN	New	Continue to participate in the County of Orange's public process to address C&D waste and self-haul waste from a systems based approach and to contribute in the development of programs and policies accordingly.	Ongoing
5010-ED-PRN 5020-ED-OUT	Expand	The City will continue to develop materials to communicate to residents and businesses about source reduction and recycling goals and about the City's compliance plan. The City will expand the use of the quarterly recreation guide that goes to each residence and	Ongoing

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 255-2555 for a copy of PARIS, or go to the Board's website at www.ciwmb.ca.gov/LGCentral/PARIS/.